



CITY ORDINANCE NO. 304
Series of 2002

AN ORDINANCE GRANTING RELIEF ON SURCHARGES AND INTERESTS ON RENTALS OF THE MARKET AWARDEES IN ALL CITY PUBLIC MARKETS.

WHEREAS, the Market Code requires full payment of lease accounts & business permits and taxes prior to the renewal of lease contracts;

WHEREAS, to effectively enforce this Code, the City Mayor issued Executive Order No. 5, series of 2002, stating in Paragraph a. of Section 2 thereof:

"Awardees who had unpaid accounts for rentals and business permits as of December 31, 2001 must pay these accounts in full before filing their applications and submit proof of payment together with their application. The contract of those with outstanding accounts shall not be renewed and their awards shall be revoked in accordance with the market Code. Previous arrangements or promissory notes made by awardees before the City Legal or City Administrator are hereby superseded by this order."

WHEREAS, said E. O. # 5 was amended by Executive Order No. 8 which allows for installment payment of rental & business permit;

WHEREAS, alarmed by this executive order of the Mayor, the stall awardees in the Central Market and other markets in the City have persistently appealed to the Sangguniang Panlungsod to grant them relief on surcharges and interests on their rentals, citing among other reasons: a) fish, meat and vegetable vendors in the City are allowed to vend outside public markets; b) several obstructions in the alleys & passageways of the markets have diminished their sales; c) unrestricted selling of vendors in some parts of the city, especially in the downtown areas which blocks the passageways of the legitimate awardees and d) slow-down of the economy which practically affected stall awardees in the city's public markets;

WHEREAS, because of such reasons, stall awardees are appealing to the City thru the Sangguniang Panlungsod to grant them relief on surcharges & interests on their rental accounts;

Be it ordained by the Sangguniang Panlungsod of Bacolod, that:

Section 1. Title. This ordinance shall be called as, "An ordinance granting relief on surcharges and interests on rentals of the market awardees in all city public markets.

Section 2. Coverage. This Ordinance shall cover stall awardees in all city's public markets.

Section 3. Period. The granting of relief shall cover the surcharges & penalties on rentals up to the time this ordinance is passed.

Section 4. Computation of surcharges and interests for relief.

a. For Rental Accounts

1. For surcharges and interests incurred before January 1, 2000 - 20% of the account balance as of January 1, 2000 shall be deducted as being the percentage share of surcharges and interests in the account balance incurred before January 1, 2000.

2. For surcharges and interests incurred from January 1, 2000 up to the date of approval of this ordinance, the actual amount of the surcharges & interest charges shall be deducted from the account balance.

3. In no case shall the deduction for relief on surcharges and interests exceed the balance of the rental account.

Section 5. Terms and Conditions. To avail of relief under this Ordinance, awardees or present occupants with accounts for market rentals shall execute promissory notes within 30 days from the passage hereof. In addition thereto, the following must be complied with:

a. For Rental Accounts

1. At least 20% of the total amount due shall be payable upon execution of the promissory note.

2. The balance of the delinquency accounts shall be payable in equal installments on or before December 31, 2002.

3. Awardees/occupants who faithfully pay their monthly installments on the promissory note, and also their monthly/daily rentals on time, shall not be charged surcharge or interest. Otherwise, surcharges & interests shall be added to the account in accordance with the Market Code.

b. Promissory Notes & Settlements Executed Prior to the Passage of this Ordinance.

Awardees/stall holders who executed promissory notes or made arrangements for settlement of their accounts in anticipation of the full payment requirement for lease renewal applications shall also enjoy the benefits of this relief, provided the terms of their promissory notes or settlements substantially comply with the requirements under Sec. 5 hereof.

The following additional terms shall apply in these cases:

1. To avail of benefits under this ordinance, Promissory Notes executed shall be submitted to the City Administrator or her/his duly authorized representative within 30 days from the passage hereof, for review, verification as to the compliance with the requirements of this ordinance & adjustment to reflect the relief.

2. In no case shall deductions made for relief on surcharges & penalties exceed the balance of the amount of the rentals.

Section 6. Effectivity. This ordinance shall take effect immediately upon approval by the Sangguniang Panglungsod.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors: Archie S. Baribar, Roberto M. Rojas, Jude Thaddeus A. Sayson, Ana Marie V. Palermo, Celia Matea R. Flor, Jose H. Gabuat, Lyndon P. Caña, Elmer T. Sy, Bobbie S. Lucasan, Greg G. Gasataya, Reynold I. Iledan, Sonya M. Verdeflor, Pepito T. Malapitan, Christine Angelie M. Espinosa.

Negative : None.

Absent : None.

Author : Councilor Celia Matea R. Flor.

Passed : June 13, 2002 (50th Regular Session).

Comments : Passed.

RAMIRO L. GARCIA, JR.

Vice Mayor
Presiding Officer *6/19/02*

ATTESTED:

ATTY. NILO T. ALEJANDRINO

Secretary to the Sanggunian

APPROVED: June 20, 2002

LUZVIMINDA S. VALDEZ

City Mayor

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